

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NIAGARA

VERONICA THORNTON; JOSEPH CALATO;
ANITA MATUSICK; SAMMIE LOWE; PHYLLIS L.
DUSSLER, Individually and on Behalf of the Estate of
PETER JOHN DUSSLER,

Plaintiffs,

v.

**STATE COURT
NIAGARA COUNTY
INDEX**

Index No. E162421/2017

CITY OF NIAGARA FALLS; GLENN SPRINGS
HOLDINGS, INC.; CONESTOGA-ROVERS &
ASSOCIATES; CECOS INTERNATIONAL, INC.;
MILLER SPRINGS REMEDIATION
MANAGEMENT, INC.; OCCIDENTAL CHEMICAL
CORPORATION, Individually and as Successor in
Interest to Hooker Chemicals and Plastics Corporation;
OP-TECH ENVIRONMENTAL SERVICES; ROY'S
PLUMBING, INC.; SCOTT LAWN YARD, INC.; and
SEVENSON ENVIRONMENTAL SERVICES, INC.,

Defendants.

No.	Party ¹	Name/Description	Date	Exhibit
1.	PLTFS	Summons and Complaint	8/17/2017	18

¹ Party abbreviations are:

Party

Plaintiffs
All Defendants
Filings on behalf of all Occidental Defendants
City of Niagara Falls
Niagara Falls Water Board
Glenn Springs Holdings, Inc.
Conestoga-Rovers & Associates
Cecos International, Inc.
Miller Springs Remediation Management, Inc.
Occidental Chemical Corporation
Op-Tech Environmental Services

Abbreviation

PLTFS
JTDEFTS
OCCDEFTS (OCC, GSH & MSRM)
CNF
NFWB
GSH
CRA
CECOS
MSRM
OCC
OP-TECH

No.	Party ¹	Name/Description	Date	Exhibit
2.	ALL PARTIES	Joint Stipulation Concerning Defendants' Time to Respond to Complaint	9/28/2017	18
3.	PLTFS	First Amended Complaint	12/20/2017	18
4.	CECOS	Notice of Appearance - Robert M. Rosenthal, Esq.	1/29/2018	18
5.	ALL PARTIES	Joint Stipulation Related to Service of First Amended Complaint	2/20/2018	18
6.	OP-TECH	Verified Answer to First Amended Complaint	3/23/2018	18
7.	OP-TECH	Notice to Take Deposition Upon Oral Examination	3/23/2018	18
8.	CNF	Request for Judicial Intervention	3/23/2018	18
9.	CNF	Addendum to Request for Judicial Intervention	3/23/2018	18
10.	CNF	No Fee Authorization	3/23/2018	18
11.	ROY'S	Answer to Plaintiffs' First Amended Complaint	3/26/2018	18
12.	OCC	Answer to the First Amended Complaint	3/26/2018	18
13.	GSH	Answer to the First Amended Complaint	3/26/2018	19
14.	MSRM	Answer to the First Amended Complaint	3/26/2018	19
15.	CECOS	Answer, Defenses and Cross-Claims	3/26/2018	19
16.	SLY	Answer to the First Amended Complaint	3/26/2018	19
17.	SEVENSON	Answer to First Amended Complaint with Affirmative Defenses and Cross-Claims	3/26/2018	19
18.	SEVENSON	Notice of Deposition	3/26/2018	19
19.	CRA	Answer to First Amended Complaint with Defenses	3/26/2018	19
20.	CNF	NOM to Dismiss	3/26/2018	20
21.	CNF	Affirmation of Thomas M. O'Donnell, Esq. in Support of CNF's Motion to Dismiss	3/26/2018	20
22.	CNF	Exhibit A - Summons and Complaint	3/26/2018	20
23.	CNF	Exhibit B - Joint Stipulation #1 re Amending Complaint	3/26/2018	20
24.	CNF	Exhibit C - Joint Stipulation #2 re Amended Complaint	3/26/2018	20
25.	CNF	Exhibit D - First Amended Complaint	3/26/2018	20

Roy's Plumbing, Inc.
Scott Lawn Yard, Inc.
Sevenson Environmental Services, Inc.

ROY'S
SLY
SEVENSON

No.	Party ¹	Name/Description	Date	Exhibit
26.	CNF	Exhibit E - Section 5.14 of the City Charter, CNF	3/26/2018	20
27.	CNF	Exhibit F - Notice of Claim served on the City	3/26/2018	20
28.	CNF	Exhibit G - Love Canal Habitability Study, May 1988	3/26/2018	20
29.	CNF	Exhibit H - Decision on Habitability, September 1988	3/26/2018	20
30.	CNF	Exhibit I - Warranty Deed from CNF to NFWB	3/26/2018	20
31.	CNF	No Fee Authorization Letter	3/26/2018	20
32.	CNF	Amended NOM to Dismiss	4/3/2018	20
33.	PLTFS	NOM <i>Pro Hac Vice</i> - Peter A. Kaus, Esq.	4/25/2018	20
34.	PLTFS	Affidavit of William H. Mack, Esq. in Support of Peter A. Kraus' Motion to be Admitted <i>Pro Hac Vice</i>	4/25/2018	21
35.	PLTFS	Proposed Order Admitting Peter A. Kraus, Esq. <i>Pro Hac Vice</i>	4/25/2018	21
36.	PLTFS	NOM <i>Pro Hac Vice</i> - Caitlyn E. Silhan, Esq.	4/25/2018	21
37.	PLTFS	Affidavit of William H. Mack, Esq. in Support of Caitlyn E. Silhan's Motion to be Admitted <i>Pro Hac Vice</i>	4/25/2018	21
38.	PLTFS	Proposed Order Admitting Caitlyn E. Silhan, Esq. <i>Pro Hac Vice</i>	4/25/2018	21
39.	PLTFS	NOM <i>Pro Hac Vice</i> - Leslie C. MacLean, Esq.	4/25/2018	21
40.	PLTFS	Affidavit of William H. Mack, Esq. in Support of Leslie C. MacLean's Motion to be Admitted <i>Pro Hac Vice</i>	4/25/2018	21
41.	PLTFS	Proposed Order Admitting Leslie C. MacLean, Esq. <i>Pro Hac Vice</i>	4/25/2018	21
42.	PLTFS	NOM <i>Pro Hac Vice</i> - Charles S. Siegel, Esq.	4/25/2018	21
43.	PLTFS	Affidavit of William H. Mack, Esq. in Support of Charles S. Siegel's Motion to be Admitted <i>Pro Hac Vice</i>	4/25/2018	21
44.	PLTFS	Proposed Order Admitting Charles S. Siegel, Esq. <i>Pro Hac Vice</i>	4/25/2018	21
45.	COURT	Order Admitting Charles S. Siegel's <i>Pro Hac Vice</i>	5/23/2018	21
46.	COURT	Order Admitting Peter A. Kraus <i>Pro Hac Vice</i>	5/23/2018	21
47.	COURT	Order Admitting Caitlyn E. Silhan <i>Pro Hac Vice</i>	5/23/2018	21

No.	Party ¹	Name/Description	Date	Exhibit
48.	COURT	Order Admitting Leslie C. MacLean <i>Pro Hac Vice</i>	5/23/2018	21
49.	PLTFS	Affirmation of William H. Mack, Esq. in Opposition to CNF's Motion to Dismiss	6/21/2018	21
50.	CNF	Letter Adjourning CNF's Motion to Dismiss	6/26/2018	21
51.	PLTFS	Letter Adjourning CNF's Motion to Dismiss	8/3/2018	21
52.	CNF	Reply Affirmation of Thomas M. O'Donnell, Esq. in Further Support of CNF's Motion to Dismiss	9/20/2018	21
53.	COURT	Decision Granting CNF'S Motion to Dismiss	3/8/2019	21
54.	CNF	Proposed Order and Judgment Granting CNF's Motion to Dismiss	5/1/2019	21
55.	COURT	Order - Dismissal	6/27/2019	21
56.	CNF	Notice of Entry with Order - Dismissal	6/27/2019	21
57.	PLTFS	Letter Advising Withdrawal of William H. Mack, Esq. of Counsel	7/17/2019	21
58.	CECOS	Notice of Withdrawal of Counsel and Appearance of New Attorney from Same Firm: Steven C. Russo substituted for Robert Rosenthal	9/16/2019	21
59.	COURT	Scheduling Order	12/2/2019	21
60.	PLTFS	Stipulation to Amend Complaints	1/6/2020	21
61.	PLTFS	Exhibit A - Second Amended Complaint (Final Version)	1/6/2020	21
62.	PLTFS	Exhibit B - Second Amended Complaint (Redline Version)	1/6/2020	21
63.	PLTFS	Second Amended Complaint	1/6/2020	21

Doc #4527315.3